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Amend the bill in section 5 in §223-A by striking out all of subsection 8 (page 3, lines 13 to 22 in L.D.) and inserting the following:

8. Enforcement. The commissioner, a law enforcement officer as defined in Title 25, section 2801-A, subsection 5, a code enforcement officer or a fire safety official may petition the Superior Court or District Court to seize or remove at the expense of the owner consumer fireworks sold, offered for sale, stored, possessed or used in violation of this section. The commissioner may immediately suspend a license granted under subsection 4 for a violation of this section. A person whose license is suspended under this subsection must receive a hearing within 10 days of the suspension under Title 5, chapter 375, subchapter 4. A person whose license is suspended under this subsection may not receive a subsequent license under subsection 4 for a period of at least one year from the date of suspension.

9. Violation. A violation of this section is a Class E crime.'

SUMMARY

This amendment, which is the minority report of the committee, clarifies that a law enforcement officer as defined by the Maine Revised Statutes, Title 25, section 2801-A, subsection 5 may enforce any violation of the law related to consumer fireworks rather than only a state or municipal law enforcement officer.